REMARKS

Claims 1-6, 8-11, 13, 18-23, 25-29 are pending and at issue in the above identified patent application. Claims 1, 10, 18, 25, and 28 are amended. Of the claims at issue, claims 1, 10, 18, and 25 are independent. In view of the foregoing amendments and the following remarks, reconsideration of the application is respectfully requested.

Claim Objections

Claim 28 has been amended to correct a spelling error. The foregoing amendment should eliminate any objection to the claims.

The Rejection under 35 U.S.C. § 112

Claim 10 stands rejected under 35 U.S.C. § 112 for failing to comply with the written description requirement, In particular, the examiner notes that the phrase "machine-accessible medium" is not supported in the specification. Claim 10 has been amended to reflect that the article of manufacture stores machine accessible instructions that, when executed, cause a machine to perform certain functions. This amendment is fully supporting in the specification by at least, for example, paragraph [0010] of the present disclosure. The foregoing should eliminate any rejection under 35 U.S.C. §112 that may have been proper.

The Rejections under 35 U.S.C. § 102

Claims 1, 10, 18, and 25 have been amended to include the recitations of claims 7, 16, 24, and 7, respectively. Claims 7, 16, and 24 were rejected under 35 U.S.C. §102(b) as anticipated by Sekiguchi (US 2001/0052069). It is respectfully submitted that amended claims 1, 10, 18, and 25 are allowable over this patent for at least the reasons set forth below.

As amended, independent claims 1, 10, 18, and 25 recite, *inter alia*, determining if a user credential is authorized to allow booting of a desired operating system, and enabling booting of the desired operating system if the user credential is authorized to allow booting of the desired operating system. Furthermore, the claims recite determining if a trusted boot is

disabled and booting the desired operating system if the trusted boot is disabled even if the user credential is not authorized to allow booting of the desired operating system.

It is well settled that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051 (Fed. Cir. 1987) (emphasis added). As explained below, the applicants note that Sekiguchi fails to describe or suggest determining if a trusted boot is disabled and booting a desired operating system if the trusted boot is disabled even if the user credential is not authorized to allow booting of the desired operating system, as recited in claim 1, 10, 18, and 20.

In sharp contrast Sekiguchi describes a user terminal which is connected to a server by a network and is booted using an operating system stored in the server. *Sekiguchi*, [0077-0079]. As described in Sekiguchi, the server contains "a user database for registering, in advance for every user ID, an operating system and application that can be started up by the user terminal." *Sekiguchi*, [0079]. When a user requests an operating system, the server searches the user database for the user, compares the user information sent from the user terminal, and verifies that the user has the privilege of implementing the requested operating system. *Sekiguchi*, [0079]. Of particular note is that the operating system is booted only if verification has been performed correct. *Sekiguchi*, [0079, 0097]. In particular, Sekiguchi specifically teaches that "if verification has been performed correctly," the operating system and application are transmitted to the user terminal. *Sekiguchi*, [0079, 0097].

While Sekiguchi describes the use of user authorization to enhance security (*Sekiguchi*, [0097, 0107]), no where does Sekiguchi describe the use of a trusted boot, let alone the determination of whether the trusted boot is enabled or disabled. Furthermore, Sekiguchi fails to describe or suggest any scenario in which a requested operating system is booted even if the user credential is not authorized to allow booting of the desired operating

system. Consequently, Sekiguchi cannot be fairly read to describe or suggest the recited limitations.

Therefore due to the deficiencies in Sekiguchi, it follows that Sekiguchi cannot anticipate claims 1, 10, 18, 25, or any claims dependent thereon. In particular, because Sekiguchi does not describe or suggest determining if a trusted boot is disabled and booting the desired operating system if the trusted boot is disabled even if the user credential is not authorized to allow booting of the desired operating system, Sekiguchi cannot anticipate claims 1, 10, 18, 25.

Accordingly, for at least the foregoing reasons, it is respectfully submitted that claim claims 1, 10, 18, 25, and all claims dependent thereon are in condition for allowance.

Conclusion

Reconsideration of the application and allowance thereof are respectfully requested.

If there is any matter that the examiner would like to discuss, the examiner is invited to

contact the undersigned representative at the telephone number set forth below.

The Commissioner is hereby authorized to charge any deficiency in the amount

enclosed or any additional fees which may be required during the pendency of this

application to Deposit Account No. 50-2455.

Respectfully submitted,

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